

A BLUEPRINT FOR BLOGGER INVOLVEMENT IN ACADEMIC LEGAL SYMPOSIA

*Bridget J. Crawford**

2012 MICH. ST. L. REV. 1829

TABLE OF CONTENTS

INTRODUCTION	1829
I. MODELS FOR BLOGGER INVOLVEMENT AND OTHER INTERNET-BASED CONTRIBUTIONS TO ACADEMIC LEGAL SYMPOSIA	1831
A. Live Blogging.....	1831
B. Online Companions	1832
C. Digital Symposia	1834
D. Hybrid Live/Online Academic Interchanges.....	1835
II. CONSIDERATIONS FOR CONFERENCE ORGANIZERS AND BLOGGERS	1836
A. For Conference Organizers	1836
B. For Bloggers.....	1838
III. REFLECTIONS ON THE BLOGGING EXPERIENCE	1839
A. The Most Active Post.....	1839
B. Involving Men	1842
CONCLUSION	1843

INTRODUCTION

I admit that I was insulted by the invitation to be the “featured blogger” for the *Michigan State Law Review* symposium *Gender and the Legal Profession’s Pipeline to Power*. When Professor Renee Knake first called me in the summer of 2011, she *sounded* nice enough over the phone (we had not met before). Professor Knake explained that she and co-convener Professor Hannah Brenner were planning a conference, and they imagined that live blogging could extend the scholarly conversation beyond the symposium walls, and do that in real time. Too often, she remarked, academics tend to talk to themselves, or the work of symposia dies soon after the actual event. Having a featured blogger might change and challenge that, and Professor Knake flattered me by saying I would be the best person to live-blog

* Professor of Law and Associate Dean for Research and Faculty Development, Pace University School of Law. B.A. 1991 Yale University. J.D. 1996 University of Pennsylvania Law School.

the event. I asked about some of the logistics, mumbled something about my daughter's birthday being right around the time of the conference, and said I would get back to Professor Knake.

As soon as I hung up the phone, my slow mental simmer began. Why was I not invited to speak at the conference? I felt so "B" team. Was being a "live blogger" at a conference like being a seat-filler at the Oscars—someone who rushes to a celebrity's otherwise unoccupied seat in order to create an appearance of attendance? If I really was such a great person to live-blog the event (Professor Knake *seemed* to know my work over at the *Feminist Law Professors* group blog¹), then why wasn't I good enough to be invited to open my mouth at the conference? Why should I fly to Detroit to blog about a conference at another school? Did the organizers intend for me to be their paid amanuensis? A scribe? A shill for some cause (and if so, what cause)?

In my second telephone conversation with Professor Knake about a week later, I peppered her with questions. Would there be any restrictions on what I could write? *No*. Would my posts be subject to pre-approval by anyone? *No*. Would anyone have editorial control over my posts? *No*. Was there anything in particular (beyond the symposium) that the conference organizers hoped I would blog about? *No*. Why did they invite me? *We like the other blogging you do*. Could I be home by my daughter's birthday? *Sure; the conference will be over by then*. Having run out of principled or practical reasons to decline the invitation, I accepted. My formerly simmering thoughts had cooled to a slow vacillation. There they remained on my mental backburner.

To be honest, I did not really think much about my conference participation until I arrived in Detroit just before the opening session. As I walked through the hotel lobby, it suddenly dawned on me: I should not be trusted to blog this symposium. What if I didn't have anything interesting to say? Or worse, what if I had plenty to say, but felt that I couldn't be honest because Michigan State University College of Law had paid for me to attend? Did the conference organizers really understand that they were giving a total stranger free reign to comment to the public about their symposium?

This essay reflects on my experience as the "featured blogger" at the *Michigan State Law Review* symposium *Gender and the Legal Profession's Pipeline to Power* and maps out possible models for future blogger involvement in other academic legal symposia. Successful blogger involvement in live academic events requires contributors who will write without much time to revise and organizers who will cede control over the way the conference is interpreted and discussed by others. Ultimately, I judge this

1. FEMINIST L. PROFESSORS, <http://www.feministlawprofessors.com> (last visited Nov. 5, 2012).

experiment at the intersection of scholarly dialogue, legal education, and cyberspace to be a success. Blog-based conversations continued after the actual symposium and provided an alternate venue for perspectives that were not present at the live event.²

I. MODELS FOR BLOGGER INVOLVEMENT AND OTHER INTERNET-BASED CONTRIBUTIONS TO ACADEMIC LEGAL SYMPOSIA

A. Live Blogging

“Live blogging” an event or conference is a relatively common occurrence on blogs that law professors read and write.³ Law professors who attend a conference or other academic meeting might describe a particular portion of the conference⁴ or their reactions to it.⁵ These contributions usually are at the discretion of the writer, typically someone who already has a “perma-home” at an established group or individual blog.

Before my experience at the *Pipeline to Power* symposium, my experience with live blogging—from both the production side and the consumption side—was that it is an *ad hoc* endeavor. Law professors may have various reasons for live blogging a conference: promoting the event, summarizing substantive presentations, preserving reactions to others’ viewpoints, or reflecting on particular topics under discussion. For the writer, live blogging can be a form of self-discipline, requiring her to pay a different kind of attention than a passive participant. To the extent that blog posts receive comments, the blogger can identify the topics that most attract the interest

2. See Comments to Paula Monopoli on “Gender Equality and Legal Academia,” FAC. LOUNGE, <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/page/1/#comments> (last visited Nov. 5, 2012).

3. See, e.g., Paul Horwitz, *Liveblogging the Matters of Faith Conference*, PRAWFSBLAWG (Oct. 14, 2011, 12:26 PM), <http://prawfsblawg.blogs.com/prawfsblawg/2011/10/liveblogging-the-matters-of-faith-conference.html>; Orly Lobel, *Live Blogging from LSA Baltimore—Regulatory Governance and Accountability*, PRAWFSBLAWG (July 6, 2006, 11:39 AM), http://prawfsblawg.blogs.com/prawfsblawg/2006/07/live_bloggin_f.html; Lawrence B. Solum, “Writing About the Law: From Bluebook to Blogs and Beyond” at New York Law School, Part I, LEGAL THEORY BLOG (Feb. 16, 2007, 10:47 AM), http://lsolum.typepad.com/legaltheory/2007/02/writing_about_t.html; Bridget Crawford, *Live Blogging from W&M Privacy Symposium*, FEMINIST L. PROFESSORS (Feb. 28, 2009), <http://www.feministlawprofessors.com/2009/02/live-blogging-from-wm-privacy-symposium/>.

4. See, e.g., Bridget Crawford, *Live Blogging “After Gender? Examining International Justice Enterprises,”* FEMINIST L. PROFESSORS (Nov. 12, 2010), <http://www.feministlawprofessors.com/2010/11/live-blogging-after-gender-examining-international-justice-enterprises/>.

5. See, e.g., Michael Froomkin, *Bloggers Blogging the Blog Conference*, DISCOURSE.NET (Apr. 28, 2006), http://www.discourse.net/2006/04/bloggers_blogging_the_blog_conference.html (listing additional conference bloggers).

of others and might warrant further attention. For the reader, “liveblog[s] can be better than attending the talk. All the chaff has been winnowed, and almost every talk captured.”⁶ Live-blog posts provide readers with access to the conference content without the investment of time and money to attend the actual event.⁷ On the negative side, reading about a conference is not the same as attending one because readers lack opportunities for live interaction with other conference participants.

In addition to live blogging, there seem to be three other models for law-professor involvement in academic legal symposia or symposia-like conversations. These are the journal-based online “companion”;⁸ the fully online symposia,⁹ and hybrid live/online academic interchanges.¹⁰ In surveying existing models for blogger involvement and other Internet-based contributions to academic legal symposia, I exclude from consideration the repository-like web presences of almost every law journal. I also exclude student-driven blogs devoted mostly to recent developments in a particular field.¹¹ These, too, are part of any robust account of the intersection of legal scholarship and the Internet, but they are not my focus. Rather, I limit my consideration to law faculty use of blogs or other Internet-based venues for talking about other legal scholarship.

B. Online Companions

Student-edited law reviews were at the forefront in using Internet-based platforms to broaden the legal academic discourse beyond law professor blogs.¹² The online companions of law reviews function as venues for essays, debates, or responses to articles published in the journal’s print edition.¹³ Some journals solicit specific authors to respond to a published arti-

6. KK, *Tips for Conference Bloggers*, KK (Dec. 31, 2007), <http://kk.org/cooltools/archives/2539>.

7. *See id.*

8. *See infra* Section I.B.

9. *See infra* Section I.C.

10. *See infra* Section I.D.

11. *See, e.g.*, THE RACETOTHEBOTTOM.ORG, <http://www.theracetothetbottom.org> (last visited Nov. 5, 2012).

12. The Yale Law Journal Online began in 2005 as *The Pocket Part*. *See* Matthew T. Bodie, *Thoughts on the New Era of Law Review Companion Sites*, 39 CONNTEMPLATIONS 1, 2 (2007), available at <http://connecticutlawreview.org/conntemplation/thoughts-on-the-new-era-of-law-review-companion-sites/>.

13. In 2007, Matt Bodie identified nine online companions: CONNtemplations (University of Connecticut), *Environmental Law Online* (Lewis & Clark), *Harvard Law Review Forum* (Harvard), *First Impressions* (Michigan), *Colloquy* (Northwestern), *see Also* (Texas), *PENNumbra* (University of Pennsylvania), *In Brief* (University of Virginia), and *The Pocket Part* (Yale). *Id.* at 2-3. Since 2007, that number has grown exponentially. *See, e.g.*, YALE L.J. ONLINE, <http://yalelawjournal.org/the-yale-law-journal-pocket-part/volume-122/> (last visited Nov. 5, 2012); STAN. L. REV. ONLINE, <http://www.stanfordlawreview>.

cle.¹⁴ To provide a recent example of this law-review-based mini-symposium, consider the *Minnesota Law Review's* *Headnotes*¹⁵ publication of three different law professors' responses to Professor I. Glenn Cohen's article *Regulating Reproduction: The Problem with Best Interests*.¹⁶ Each response is between approximately 4,000 and 8,000 words in length.¹⁷ The responses are linked through the *Headnotes* homepage and are fully searchable in the Westlaw and Lexis databases of law journals. As is typical of these online symposia, Professor Cohen published a rebuttal in *Headnotes* too.¹⁸

Law-review-based online companions are best understood as digitally-based repositories for short-form scholarship of a largely traditional nature. In general, contributions to online companions either react to print-based scholarship or serve as a vehicle for focused discussion of a particular idea or point of view. Professors write contributions that students edit and publish. Faculty members may not upload responses directly to the law review site.

org/online (last visited Nov. 5, 2012); HARV. L. REV. F., <http://www.harvardlawreview.org/forum/> (last visited Nov. 5, 2012); COLUM. L. REV. SIDEBAR, <http://clr.guidedcreative.com/category/sidebar/> (last visited Nov. 5, 2012); *Volume 79, Issue 1 Online Exclusive: Miriam Kurtzig Freedman*, U. CHI. L. REV., <http://lawreview.uchicago.edu/news/volume-79-issue-1-online-exclusive-miriam-kurtzig-freedman> (last visited Nov. 5, 2012); CIRCUIT (Berkeley), <http://www.californialawreview.org/circuit> (last visited Nov. 5, 2012); PENNUMBRA (University of Pennsylvania), <http://www.pennumbra.com> (last visited Nov. 5, 2012); VA. L. REV. IN BRIEF (Virginia), <http://www.virginialawreview.org/ib.php> (last visited Nov. 5, 2012); FIRST IMPRESSIONS (Michigan), <http://www.michiganlawreview.org/first-impressions> (last visited Nov. 5, 2012).

14. *Submissions*, MINN. L. REV., <http://www.minnesotalawreview.org/submissions/> (last visited Nov. 5, 2012) ("The Law Review will consider publishing in *Headnotes* any piece responding to any recent Article, Essay, or Note appearing in our print volume. The Law Review also considers, for publication in *Headnotes*, book reviews and, especially, shorter, practitioner-oriented pieces.").

15. MINN. L. REV. HEADNOTES, <http://www.minnesotalawreview.org/headnotes/> (last visited Nov. 5, 2012).

16. See Helen M. Alvaré, *A Response to Professor I. Glenn Cohen's Regulating Reproduction: The Problem with Best Interests*, 96 MINN. L. REV. HEADNOTES 8 (2012), <http://www.minnesotalawreview.org/wp-content/uploads/2012/05/AlvareFinal.pdf>; Bridget J. Crawford, *Authentic Reproductive Regulation*, 96 MINN. L. REV. HEADNOTES 31 (2012), <http://www.minnesotalawreview.org/wp-content/uploads/2012/05/CrawfordFinal.pdf>; Kimberly M. Mutcherson, *In Defense of Future Children: A Response to Cohen's Beyond Best Interests*, 96 MINN. L. REV. HEADNOTES 46 (2012), <http://www.minnesotalawreview.org/wp-content/uploads/2012/05/MutchersonFinal.pdf>; see also I. Glenn Cohen, *Regulating Reproduction: The Problem with Best Interests*, 96 MINN. L. REV. 423 (2011).

17. See Alvaré, *supra* note 16; Crawford, *supra* note 16; Mutcherson, *supra* note 16.

18. See I. Glenn Cohen, *Burying Best Interests of the Resulting Child: A Response to Professors Crawford, Alvaré, and Mutcherson*, 97 MINN. L. REV. HEADNOTES 1 (2012), <http://www.minnesotalawreview.org/wp-content/uploads/2012/10/Cohen1.pdf>.

The two principal advantages of online companions are that they have provided a venue for critical engagement with print-based scholarship and they have created the demand for that work. Before the rise of the online companion, one might read a law review article and plan to agree or disagree with some of the author's points in one's own future work, but a law journal's invitation to formally respond to a piece requires more sustained and timely engagement. Online companions bring to the academic marketplace ideas and essays that because of scope or length do not rise to the level of an "article"¹⁹ and might not otherwise be published. Anecdotally speaking, it would also appear that it is easier for an author to have a submission published within a journal's online companion than its print edition. By virtue of the medium, law review editors are less constrained in the number of pieces they can publish online. The only meaningful limitations would be the number of quality submissions and the available editorial staff.

C. Digital Symposia

Like the law review online companions, professor-run blogs also are a hospitable venue for organized responses to legal scholarship. Several law-professor blogs—most notably and successfully *The Conglomerate* and *Concurring Opinions*—routinely host online symposia focused on a single scholarly work or idea.²⁰ Generally speaking, the organizer selects contributors in advance to write blog posts ranging from 250 to 1,500 words in length, depending on the blog and the symposium. In substance, the posts might identify aspects of the work having an intersection with the writer's own scholarly interests, explore the work's strengths and weaknesses, identify implications of the work's principal arguments, or raise questions for further consideration. The authors of the subject work might respond with one or more posts during the online symposium or at its conclusion. Comments to all posts usually are open to the public.

19. Bridget Crawford, *What Is the Difference Between an "Article" and an "Essay"?*, FEMINIST L. PROFESSORS (Feb. 4, 2010), <http://www.feministlawprofessors.com/2010/02/what-is-the-difference-between-an-article-and-an-essay/>.

20. See, e.g., Gordon Smith, "Exploring the Connection Between Religious Faith and Corporate Law": An Online Symposium, CONGLOMERATE (May 3, 2009), <http://www.theconglomerate.org/2009/05/exploring-the-connection-between-religious-faith-and-corporate-law-an-online-symposium.html>; Frank Pasquale, *Symposium Next Week on "A Legal Theory for Autonomous Artificial Agents,"* CONCURRING OPINIONS (Feb. 8, 2012, 10:43 AM), <http://www.concurringopinions.com/archives/category/symposium-autonomous-artificial-agents/page/2> (announcing three-day online symposium on *A Legal Theory for Autonomous Artificial Agents*, by Samir Chopra & Laurence White); Frank Pasquale, *Symposium on Access to Knowledge in the Age of Intellectual Property*, CONCURRING OPINIONS (Jan. 29, 2011, 4:20 PM), <http://www.concurringopinions.com/archives/category/symposium-access-to-knowledge> (announcing three-day online symposium on *Access to Knowledge in the Age of Intellectual Property*, by Gaëlle Krikorian & Amy Kapczynski's).

There are several advantages to these online symposia. First and foremost, there are few associated material costs. Contributors receive no honoraria, and no travel is required. From the organizer's perspective, the organization and oversight of an online symposium is far less time-intensive than a live event. Virtually all can be arranged via email and contributors can be given limited authorship privileges to allow them to post to the blog directly. The unified and specific focus of the online symposium permits spontaneous responses through the blog's comments, but generally speaking, most of the substantive intellectual engagement is in the form of posts and responses that are prepared in advance. Online symposia might attract participants who otherwise would not contribute to the blog and might shape the blog's image or increase its profile. For blogs that generate revenue through advertising, increased web traffic is most certainly a plus. Contributions to online symposia hosted by law professor blogs differ from journal-based online companions in several important respects. First, the blog contributions are not edited by students and thus are published more quickly. Typically, a faculty member will be given temporary authorship privileges at the host blog so as to be able to upload the contribution directly. Second, online symposia are not the only, or even the most common, feature of a law professor blog. In that sense, the online symposium might attract more casual readers than would a law review companion website, thus extending the academic dialogue even further. Also, common linking practices among bloggers can bring casual readers to an academic legal blog. Finally, it is worthwhile to note that popular legal research platforms like Lexis and Westlaw catalogue student online companions but not blogs. Thus, contributions to a purely online symposium on a law professor blog might be missed by researchers using traditional databases who lack the patience to sift through multiple hits generated by a casual Internet search.

D. Hybrid Live/Online Academic Interchanges

A third model for law professor involvement in academic legal symposia is the hybrid live/online academic interchange. Two recent examples are the *Harvard Civil Rights-Civil Liberties Law Review* colloquium, *Gay Rights and Lefts: Rights Critique and the Distributive Analysis*, held in March 2011,²¹ and the *Harvard Journal of Gender and the Law* colloquium, *Unsex Mothering*, held in February 2012.²² Each event featured a law pro-

21. CR-CL Presents a Colloquium, "Gay Rights and Lefts: Rights Critique and the Distributive Analysis," HARV. CIV. RTS.-CIV. LIBERTIES L. REV., <http://harvardcrcl.org/cr-cl-presents-a-colloquium-gay-rights-and-lefts-rights-critique-and-the-distributive-analysis/> (last visited Nov. 5, 2012).

22. *Unsex Mothering: Online Colloquium*, HARV. J.L. & GENDER (Feb. 6, 2012), <http://harvardjlg.com/2012/02/unsex-mothering-online-colloquium/>.

fessor's oral presentation of a scholarly work published by the host journal and live responses by commentators selected in advance. Each journal formally solicited written responses from other scholars who were not invited to speak at the live event. Videos of these events are accessible on the journals' webpages.

The hybrid live/online exchange combines the student-editing feature of the online companion with the immediacy of a blog-based publication. The exchange provides the featured scholar with publicity and written feedback, and provides online content for a journal that may or may not have a robust online presence. It is cost-effective (as only the live speakers need to travel to the host institution) and short (a two-hour event instead of a half-day or day-long event). One challenge associated with the model may be the impression it creates of having "two tiers" of contributors—the "varsity" speakers at the live panel discussion and the "junior varsity" players who contribute online. From the journal's perspective, this may be irrelevant in the end, but it could be an obstacle when soliciting contributors for the online component.

II. CONSIDERATIONS FOR CONFERENCE ORGANIZERS AND BLOGGERS

Several basic considerations may factor into a decision to have—or to be—a "featured blogger" at an academic symposium. To be sure, the first is cost, both from the perspective of the organizers and the potential blogger. The organizers of the *Pipeline to Power* symposium paid for my airfare from New York to Detroit and two nights in a hotel. I was invited to the pre-conference speakers' dinner and was provided meals on the day of the event. Had I been asked to pay my own expenses, I certainly would not have attended.

In order to keep costs down, one possibility might be for organizers to invite live blogging in response to proceedings broadcast live over the Internet. In the mind of the invited blogger, though, this may raise the "varsity-junior varsity" concerns I noted above. It is also possible, however, that live blogging from a distance might appeal to a blogger whose schedule is not conducive to travel. This section discusses other considerations for organizers and would-be bloggers.

A. For Conference Organizers

Identify the goal of blogger participation. Conference organizers must identify their goals for blogger participation. Is it general publicity for the school? Creation of some informal record of conference proceedings? Development of content for the journal publishing the symposium papers? Real-time or asynchronous involvement of a greater number of scholars? Ability to extend conversations from the symposium to a broader academic

audience or a larger general audience? To be sure, there may be multiple reasons to have bloggers involved in an academic symposium. Identifying them at the outset will facilitate other decisions that need to be made.

State expectations explicitly. It is difficult to know, prior to an event, how many or what kind of blog posts the event might generate. What sparks one blogger's interest may not spark another's. That being said, conference organizers should communicate to bloggers any expectations they have in terms of the blogger's quantitative output. Are organizers expecting several short posts? A single 4,000-word reflection? If there are no expectations, state as much. The organizers of the *Pipeline to Power* symposium and I intentionally left open how many and what kind of posts I would contribute. For all of us, the idea of a designated symposium blogger was a new concept, and neither the organizers nor I had any pre-conceived notion about my quantitative output. Because I had live-blogged conferences before²³ (not by invitation, simply by choice), I had in the back of my mind that I would replicate at the *Pipeline to Power* symposium what I had done in the past: write several posts over the course of the event. Some posts would merely report who said what, and other posts would be more reflective. If I were to live-blog a conference again, I would try to be more explicit about my plans—whatever they might be for that particular conference.

Consider mechanics of Internet access. How will the bloggers access the Internet? If the event is taking place in a law school classroom, wireless access is the norm. But if meetings are in a hotel or other conference facility, check Internet availability. If the meeting rooms lack Wi-Fi, you may need to provide bloggers with a portable wireless device to allow them to access the Internet. The organizers of the *Pipeline to Power* symposium loaned me a USB Wi-Fi adapter for this reason. (Make sure your bloggers know how to use it, though!)

Establish the cyber-venue. Will bloggers be asked to contribute to a site maintained by the organizers, or will bloggers post to their own desired sites? In my case, my blog posts were spread across three sites: my perma-blog homes at *Feminist Law Professors* and *The Faculty Lounge*, as well as Professor Knake's perma-blog home at the *Legal Ethics Forum*. In retrospect, it might have been better to blog at only one site. I attempted to compensate for the disparate nature of the blogging by doing a "round up" at two of the three sites where I posted.

Establish the editorial process. If the blogger will be posting to a site maintained by the organizers, consider whether posts will appear quickly or only after editing by journal (or other) staff. This may depend on the type of symposium and the goals of blogger participation. In the case of the *Pipeline to Power* symposium, I posted directly to one of the three blogs to

23. See, e.g., Crawford, *supra* note 3; Crawford, *supra* note 4.

which I had authorship access. I attempted to do so in as close to “real time” as possible (except for posts clearly marked as pre-conference or post-conference reflections). This was consistent with the organizers’ goals of continuing the conversation beyond the symposium’s walls. It would not have been consistent with “live blogging” for the posts to pass through an editorial process. Furthermore, some bloggers (including myself) might be reluctant to participate if the posts are subject to prior approval.

Posting through an intermediary may be necessary if a law review wishes to host all of the posts on its own webpage, or if there will be multiple authors contributing to a site managed by others. Furthermore, if the contributions are not meant to be synchronous with an event, or if they are more in the nature of lengthy essays than quick posts, authors might welcome or expect some editing. Again, the goal of blog-based participation will dictate the trajectory.

Select your bloggers. Selecting bloggers for a conference may or may not be difficult, depending on the subject of the conference. If there is an established blogger with an interest in the topic, by all means, invite him or her. Know the writing style and blog persona of the contributor you are inviting. If the writer’s quotidian blogging has notable characteristics, expect the blogging about the symposium to be in the same vein. But cast a wide net, too. Organizers of a law review symposium with a live-blogging component might want to arrange for some or all of the law review students to participate as bloggers or cyber-commenters. Practitioners, too, might be interested in blogging about a symposium, or at least a portion of it, especially if Continuing Legal Education credit might be available for either in-person or cyber attendance. There is no natural limit on the number of bloggers that could cover a symposium, technology permitting.

B. For Bloggers

Blogging isn’t for everyone. It requires quick-fire thinking and writing, and a certain *sang-froid*. Those who are overly cautious in day-to-day communications will find blogging (especially live blogging) to be difficult. Those who focus on sharing only their most polished writing with the world likely will not make the best bloggers, either. That is not to say that successful bloggers are poor or sloppy writers. Rather, good bloggers desire to share ideas or information more than they desire perfection.

The very enterprise of academic blogging is an invitation to comment and critique, often from anonymous sources. A good blogger knows that sharply-worded disagreements, criticism, and even misunderstandings come with the territory. Unfortunately, there are legal academic blogs that tolerate personal invectives and harassment in their “comments.” Blogging is not for the faint-hearted or hot-headed. Any tendency to personalize criticism will be exacerbated in cyberspace.

For those who are considering a foray into the blogosphere, I have previously counseled that one should blog only if one has something to say and not because a senior colleague or other professor suggests it.²⁴ For those who are untenured, the blogosphere can be a minefield.²⁵ And for those who have not blogged before, live blogging a conference is not the place to start.

III. REFLECTIONS ON THE BLOGGING EXPERIENCE

A. The Most Active Post

During the day and a half *Pipeline to Power* symposium, I wrote approximately ten blog posts. These were complemented by one pre-symposium blog entry,²⁶ one post-symposium entry,²⁷ and two “round-up” posts.²⁸ Six of those posts could be fairly classified as merely reporting on events. Three were reflective in nature. One might be best characterized as the blogging equivalent of an excited utterance.²⁹ Given the stated goal of extending the audience for the presentations beyond the walls of the Symposium, the live-blogging experiment was successful. It is difficult to know how many people read the posts, and indeed, some of the readers might have been conference participants, not new readers.

24. Bridget Crawford, *Blogging Do's and Don'ts*, FEMINIST L. PROFESSORS (June 22, 2011), <http://www.feministlawprofessors.com/2011/06/blogging-dos-donts/>.

25. Daniel Solove, *The Harvard Bloggership Conference in a Nutshell*, CONCURRING OPINIONS (Apr. 29, 2006, 12:05 AM), http://www.concurringopinions.com/archives/2006/04/the_harvard_blo.html (describing Christine Hurt's comments about pre-tenure blogging: “Blogging without tenure has some risks, but they are outweighed by the great benefits, such as networking and getting known in the academy. [You might not get tenure, but you'll know a lot of people with tenure who will feel sympathy for you.]”) (alteration in original).

26. Bridget Crawford, *Pre-Symposium Thoughts “Gender and the Legal Profession's Pipeline to Power,”* LEGAL ETHICS F. (Apr. 12, 2012, 5:55 PM), <http://www.legaethicsforum.com/blog/2012/04/pre-symposium-thoughts-gender-and-the-legal-professions-pipeline-to-power.html>.

27. Bridget Crawford, *Three Student Reactions to “Gender and the Legal Profession's Pipeline to Power,”* FEMINIST L. PROFESSORS (Apr. 14, 2012), <http://www.feministlawprofessors.com/2012/04/three-student-reactions-gender-legal-professions-pipeline-power>.

28. See, e.g., Bridget Crawford, *Symposium Round-Up: “Gender and the Legal Profession's Pipeline to Power,”* FEMINIST L. PROFESSORS (Apr. 14, 2012), <http://www.feministlawprofessors.com/2012/04/symposium-round-gender-legal-professions-pipeline-power/>; Bridget Crawford, *Symposium Round-Up, “Gender and the Legal Profession's Pipeline to Power,”* LEGAL ETHICS F. (Apr. 14, 2012, 6:13 PM), <http://www.legaethicsforum.com/blog/2012/04/symposium-round-up-gender-and-the-legal-professions-pipeline-to-power.html>.

29. See Bridget Crawford, *Nancy Gertner Just Rocked My World*, FEMINIST L. PROFESSORS (Apr. 13, 2012), <http://www.feministlawprofessors.com/2012/04/nancy-gertner-rocked-world/>.

In looking over all ten of my conference posts, there is one that stands out in particular. My post at *The Faculty Lounge* describing Paula Monopoli's presentation³⁰ generated over forty "comments."³¹ This is substantially more than the comments to any of my other conference posts and represents a high number for posts at *The Faculty Lounge* generally. The majority of these comments, except those from Professor Monopoli and three of us who blog at *The Faculty Lounge*, were made anonymously.³² The comments began with a response to my paraphrase of a point made by Professor Monopoli: "Less credit is given [in law school performance evaluations] to good teaching or service to the institution (both typically associated with women)."³³ The first commentator took me to task for making a "sexist claim,"³⁴ so I clarified in a comment that "I did NOT understand Professor Monopoli to say that good teaching is associated exclusively with women, or that women are better teachers than men. I understood her to say that traditional faculty performance evaluations tend to give less weight to teaching and service than to scholarship."³⁵ I modified the text in the post to read, "Less credit is given [in law school performance evaluations] to good teaching or service to the institution, (both typically associated with women)."³⁶ Professor Monopoli also commented that "[t]he role of 'scholar' is itself highly gendered and in the context of the ancient origins of the workplace we inhabit—the academy—it is associated with the masculine."³⁷ This interchange reflects one of the hazards of blogging: no blog post can convey the full context of a speaker's remarks. My post most certainly did not, and it was only Professor Monopoli's clarifying comment that made sense, or so I thought, of my initial post.

Unfortunately, between the time of the initial comment and Professor Monopoli's clarification, the comments veered off topic. "Anon" wrote:

I know of a number of schools that no longer interview or seriously consider white male candidates, unless there are absolutely zero other options in the field. No one

30. See Bridget Crawford, *Paula Monopoli on "Gender Equality and Legal Academia,"* FAC. LOUNGE (Apr. 13, 2012, 2:46 PM), <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/>.

31. See Comments, *supra* note 2.

32. See *id.*

33. *Id.* (alteration in original).

34. Anon, Comment to *Paula Monopoli on "Gender Equality and Legal Academia,"* FAC. LOUNGE (Apr. 13, 2012, 4:31 PM), <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/page/1/#comments>.

35. Bridget Crawford, Comment to *Paula Monopoli on "Gender Equality and Legal Academia,"* FAC. LOUNGE (Apr. 14, 2012, 7:11 PM), <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/page/1/#comments>.

36. *Id.* (alterations in original).

37. Paula Monopoli, Comment to *Paula Monopoli on "Gender Equality and Legal Academia,"* FAC. LOUNGE (Apr. 14, 2012, 5:51 PM), <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/page/1/#comments>.

talks about that though. It's odd that the level playing field seems to mean instant equality, which in the long run will mean that white males are grossly underrepresented in the academia as the generation of white males who actually benefited from discrimination retire from the academy. Someone should expose these schools also, but no one will because that person would be denounced as a racist and sexist.³⁸

Subsequent comments demanded evidence for discrimination against women, asserted that the real victims of discrimination were men, and labeled "female/minorities" as "whining."³⁹ When none of the three blog's regular contributors who posted comments under their own names or Professor Monopoli made additional comments, the hostility turned toward the "owners" of *The Faculty Lounge* blog and their "deafening" silence and failure to host an open forum discussing discrimination against white men.⁴⁰

The comments on this particular blog post reflect two larger themes related to the conference. First, the blog comments demanding "proof" of discrimination against women echo Deborah Rhode's observation that "there is a lack of consensus that there is an issue of gender inequality in the legal profession."⁴¹ Second, the persistence of commenter anonymity suggests that talking about gender in a meaningful way is uncomfortable or difficult for many people. In the microcosm of this one blog post, one can identify points of miscommunication, misunderstanding, hostility, and an-

38. Anon, Comment to Paula Monopoli on "Gender Equality and Legal Academia," FAC. LOUNGE (Apr. 14, 2012, 9:34 AM), <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/page/1/#comments>.

39. LawProf, Comment to Paula Monopoli on "Gender Equality and Legal Academia," FAC. LOUNGE (Apr. 16, 2012, 8:00 AM), <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/page/1/#comments> ("Maybe if female/minorities spent less time whining about their 'plight' they could actually write more."); White, male and on the market in 2012, Comment to Paula Monopoli on "Gender Equality and Legal Academia," FAC. LOUNGE (Apr. 16, 2012, 9:42 AM), <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/page/1/#comments> ("Is it just me, or is someone whining about female/minority academics whining about their plight really, really funny?").

40. See, e.g., Tenured Prof, Comment to Paula Monopoli on "Gender Equality and Legal Academia," FAC. LOUNGE (Apr. 18, 2012, 7:14 PM), <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/page/2/#comments>; Anonymous, Comment to Paula Monopoli on "Gender Equality and Legal Academia," FAC. LOUNGE (Apr. 23, 2012, 6:57 PM), <http://www.thefacultylounge.org/2012/04/paula-monopoli-on-gender-equality-and-legal-academia/comments/page/2/#comments>.

41. Bridget Crawford, *Deborah Rhode on "Women and the Path to Leadership,"* FAC. LOUNGE (Apr. 13, 2012, 8:59 AM), <http://www.thefacultylounge.org/2012/04/deborah-rhode-on-women-and-the-path-to-leadership.html> (paraphrasing Professor Rhode's symposium remarks).

ger, none of which lead to better understanding issues of gender and the legal profession.

Perhaps some of the reception of this particular blog post can be attributed to its publication venue. *The Faculty Lounge* is a general-interest law professor blog with no particular subject-matter focus.⁴² The posts reflect the interests of the blog's contributors. Had the post on gender inequality in the legal academy appeared at *Feminist Law Professors*, it likely would have not been met with as much hostility. Presumably those who visit that blog have some appetite for a discussion of gender issues or might be more inclined to take at face value a claim of gender bias in the legal academy. In that sense, the posting at *The Faculty Lounge* helped to accomplish the *Pipeline to Power* symposium organizers' goal of extending the Symposium's conversation beyond the event itself. Those who might not ever attend the event itself could read about the substantive presentations and choose to participate or not. With the freedom of anonymous expression came a low quality of comments in this case, in my view, but the comments reflect a diverse viewpoint that otherwise was not present at the live conference.

B. Involving Men

At the live Symposium, several speakers commented on how "great" it was to see men in attendance.⁴³ At the time, I expressed my doubts about what one could derive from the presence of so many men in the room. After all, the law students who comprised the vast majority of conference attendees were required to be there in fulfillment of their law review obligations. At the conclusion of the session on gender in legal education, I approached a group of mostly male students who had been sitting together at a table at the back of the room. I approached them specifically because they were the closest to where I was sitting (I came in after the start of the presentation, and most of the seats were taken), and because their body language indicated very little interest in the panel discussion. I asked everyone sitting at the table whether anyone would be willing to share their reactions to the conference for the blogs. Every single one of them said no or walked away silently.

I can only speculate why these students rejected my request. Perhaps they were concerned about being on time for the next session. Perhaps they felt they lacked "qualification" to talk about the subject. Perhaps they had

42. See generally FAC. LOUNGE, <http://thefacultyounge.org/> (last visited Nov. 5, 2012).

43. Bridget Crawford, *Involving Men in the Conversation*, FEMINIST L. PROFESSORS (Apr. 13, 2012), <http://www.feministlawprofessors.com/2012/04/involving-men-conversation/>.

not been paying attention and did not want to risk embarrassment. Perhaps they had been paying attention and had views contrary to the speakers' that they were reluctant to disclose. Perhaps the students feared reprisal from current or future colleagues. I am sympathetic to each of these possible explanations.

As I was leaving the conference, I saw sitting in a lounge chair one of the students who had previously declined (silently) to speak with me. I asked the student and the two others sitting there whether I could interview them for the blogs if I did not use their names and guaranteed anonymity. Only then did they agree (perhaps taking pity on me for risking getting turned down twice). Their opinions were diverse. One student was very negative, another was lukewarm, and the third thought the conference was enjoyable, at least in part.⁴⁴ These were the voices that I had been waiting to hear all day, and they only emerged when promised anonymity.

CONCLUSION

This Symposium provided an opportunity for a focused scholarly discussion of gender and the legal profession. Live blogging the symposium extended that discussion to others who might not have participated. The blogosphere—and indeed the Internet generally—allows scholars to communicate, test ideas, and engage with each other in a way that is different from in-person communication. They discuss scholarship through live blogging, online companions, online symposia, and hybrid live/online events.

To be sure, blogging is not merely an academic enterprise. Blogs and the Internet are the primary tools in many activists' kits.⁴⁵ Electronic communication makes message dissemination relatively easy. Organizing a boycott, for example, might be a matter of making a few keystrokes and selecting a few buttons.⁴⁶ Those who are interested in gender issues in the legal profession, including professors, students, practicing attorneys, and professional organizations, should consider how Internet-based communica-

44. Bridget Crawford, *Three Student Reactions to "Gender and the Legal Profession's Pipeline to Power,"* FEMINIST L. PROFESSORS (Apr. 14, 2012), <http://www.feministlawprofessors.com/2012/04/three-student-reactions-gender-legal-professions-pipeline-power/>.

45. On the use of the Internet by feminists, see, for example, Deborah Tuerkheimer, *SlutWalking in the Shadow of the Law* 12-13 (DePaul Univ. Coll. of Law, Working Paper Series, 2012), available at <http://ssrn.com/abstract=2009541> (describing the use of the Internet to organize "SlutWalks" against street violence and rape).

46. See, e.g., Bridget Crawford, *The NYSBA Sponsors Panel of Men Opining on Women's "Strengths and Weaknesses" As Lawyers*, FEMINIST L. PROFESSORS (Jan. 14, 2010), <http://www.feministlawprofessors.com/2010/01/the-nysba-sponsors-panel-of-men-opining-on-womens-strengths-and-weaknesses-as-lawyers/> ("I call for all members of the NYSBA to boycott this panel discussion.").

tion can help increase awareness and bring about change. There will always be anonymous and hostile detractors, but progress does not favor anonymity. Progress favors those with the courage to put their names and their professional reputations alongside their convictions.